

REMARKS

The Applicants appreciate the thorough examination of the present application that is reflected in the Official Actions of September 9, 2004, March 10, 2005, and November 2, 2005. In particular, the Applicants appreciate the withdrawal of all rejections responsive to the Applicants' Appeal Brief of August 8, 2005. In response, the Applicants have: amended Claims 1, 3-5, 7-11, 18-19, and 22-23 to clarify that the service is a web service including executable code; and added new dependent Claims 24-29. In the following remarks, the Applicant will show that all claims are patentable over the cited art. A Notice of Allowance is thus respectfully requested in due course.

Claim 1 Is Patentable Over Dugan

Claim 1 has been rejected under 35 U.S.C. Sec. 102(e) as being unpatentable over U.S. Patent No. 6,363,411 to Dugan et al. ("Dugan"). In response, the Applicants will show that Claim 1 is patentable over Dugan for at least the reasons discussed below.

As amended, Claim 1 recites a method of dynamically redeploying services in a computing network, the method including:

- receiving a redeployment trigger for a selected web service wherein the selected web service includes executable code;
- determining one or more network locations where the selected web service including the executable code has been deployed from its original location at an origin server;
- programmatically removing the selected web service including the executable code from the network locations and the origin server; and
- programmatically replacing the selected web service at the network locations and the origin server.

The Applicants respectfully submit that Dugan fails to teach or suggest redeploying web services including executable code in a computing network as recited in Claim 1. In general, Dugan is related to "telecommunications networks" (col. 1, lines 17-18) as opposed to a computing network as recited in Claim 1. In rejecting Claim 1, the Office Action cites Column 20, lines 14-26 of Dugan. Regarding the recitation of "a selected service" (now amended to recite "a selected web service"), portions of Dugan cited by the Office Action state that:

These service node profiles (e.g., Table 1) and service profiles (e.g., Table 2) are input to SA and stored therein to enable automatic tracking of: 1) the capabilities of each service node, i.e., how many computers and SLEE(s), and the resource capacity of each; 2) which services and data are to be deployed to which service nodes and when; and, 3) the

configuration of service execution, i.e., at which times an SLP should run persistently versus on-demand, for example. The capabilities of each node and computer in the network is maintained, so that simple and complex business rules governing data/service distribution, data/service activation and data/service removal may be applied to optimize the execution of services on IDNA/NGIN service nodes. (Underline added.)

Dugan, col. 20, lines 14-26. The "services" of Dugan are discussed as follows:

The present invention is directed to an intelligent network designed to perform intelligent call processing services for any type of call received at a resource complex or switching platform. (Underline added.)

Dugan, col. 5, line 66 to col. 6, line 2. Dugan thus relates to call processing services as opposed to web services. Accordingly, Dugan fails to teach or suggest redeploying web services in a computing network including programmatically removing a selected web service including executable code and programmatically replacing the selected web service as recited in Claim 1. Moreover, Dugan also fails to teach or suggest receiving a redeployment trigger.

Accordingly, the Applicants respectfully submit that Dugan fails to teach or suggest the recitations of Claim 1 and that Claim 1 is thus patentable. The Applicants further submit that Claims 18 and 19 are patentable for reasons similar to those discussed above with regard to Claim 1. In addition, Dependent Claims 2-17 and 20-23 are patentable at least as per the patentability of Claims 1, 18, and 19 from which they depend.

Various Dependent Claims Are Separately Patentable

As discussed above, dependent Claims 2-17 and 20-23 are patentable at least as per the patentability of Claims 1, 18, and 19 from which they depend. Various of these dependent claims are also independently patentable.

Dependent Claim 2, for example, depends from Claim 1 and thus includes all recitations of Claim 1 as discussed above. In addition, Claim 2 recites that the redeployment trigger comprises a redeployment request from the origin server. Portions of Dugan cited with respect to Claim 2 state that:

These service node profiles (e.g., Table 1) and service profiles (e.g., Table 2) are input to SA and stored therein to enable automatic tracking of: 1) the capabilities of each service node, i.e., how many computers and SLEE(s), and the resource capacity of each; 2)

which services and data are to be deployed to which service nodes and when; and, 3) the configuration of service execution....

Dugan, col. 20, lines 14-20. Dugan, however, fails to teach or suggest a redeployment request, much less, a redeployment request from an origin server which is the original location of the web service being replaced (as defined in Claim 1). Accordingly, Claim 2 is separately patentable. In addition, Claims 20 and 21 are separately patentable for reasons similar to those discussed above with respect to Claim 2.

Dependent Claim 3, for example, depends from Claim 1 and thus includes all recitations of Claim 1 as discussed above. In addition, Claim 3 recites sending the redeployment trigger when the selected web service including the executable code is to be revised. Portions of Dugan cited with respect to Claim 3 state that:

The capabilities of each node and computer in the network is maintained, so that simple and complex business rules governing data/service distribution, data/service activation and data/service removal may be applied to optimize the execution of services on IDNA/NGIN service nodes.

Dugan, col. 20, lines 22-26. While Dugan discusses business rules governing data/service distribution, activation, and removal, Dugan fails to teach or suggest a redeployment trigger, much less sending a redeployment trigger when a selected web service is to be revised. Accordingly, Claim 3 is separately patentable. In addition, new Claims 22 and 23 are separately patentable for reasons similar to those discussed above with respect to Claim 3.

New Claim 24 depends from Claim 1 and thus includes all recitations of Claim 1 as discussed above. In addition, Claim 24 recites:

wherein determining one or more network locations where the selected web service has been deployed includes determining all of the network locations where the selected web service has been deployed;

wherein programmatically removing the selected web service from the network locations includes programmatically removing the selected web service from all of the network location where the web service has been deployed; and

wherein programmatically replacing the selected web service at the network locations includes programmatically replacing the selected web service at all of the network locations where the web service has been deployed.

In contrast, Dugan discusses a "service support provisioning function ... with rules based on ... load balancing among service nodes, network call routing efficiencies, and service demand." Dugan,

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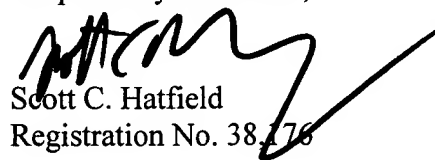
col. 20, lines 27-32. Accordingly, Dugan fails to teach or suggest removing a selected web service from all network locations where the web service has been deployed and/or replacing the selected web service at all of the network locations where the web service has been deployed. Claim 24 is thus separately patentable. In addition, new Claims 26 and 28 are separately patentable for reasons similar to those discussed above with respect to Claim 24.

New Claim 25 depends from Claim 1 and thus includes all recitations of Claim 1 as discussed above. In addition, Claim 25 recites that programmatically replacing the selected web service at the network locations comprises replacing the selected web service with an updated web service including updated executable code. As discussed above with respect to Claim 24, Dugan discusses provisioning based on load balancing, efficiencies, and demand. *See*, Dugan, col. 20, lines 27-32. Dugan thus fails to teach or suggest replacing a selected web service with an updated web service including updated executable code. Accordingly, Claim 25 is separately patentable. In addition, new Claims 27 and 29 are separately patentable for reasons similar to those discussed above with respect to Claim 25.

CONCLUSION

Accordingly, the Applicants submit that all pending claims in the present application are in condition for allowance, and allowance of all claims is respectfully requested in due course.

Respectfully submitted,


Scott C. Hatfield
Registration No. 38,176

USPTO Customer No. 46589
Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: 919/854-1400
Facsimile: 919/854-1401
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